

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested. Upon entry of this amendment, claims 17-36 are amended, leaving claims 17-36 pending with claims 17 and 35 being independent. No new matter has been added.

The amendments to each of the claims is to clarify the language of the claims and is not made to overcome prior art.

Rejections Under 35 U.S.C. §112, second paragraph

Claims 19-29 have rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the Examiner has taken the position that the recitation “between and including the upper limit temperature to the lower limit temperature,” renders the claims indefinite because it is unclear whether the lower limit temperature is included within the recited control-cooling zone. Further, the Examiner indicated that the recitation in lines 10-12 of claim 19 is redundant.

Claim 19 has been amended to overcome these rejections.

Rejections Under 35 U.S.C. §102(b)

Claims 17-23, 30, 35 and 36 have been rejected under 35 U.S.C. §102(b) as being anticipated by Kobayashi et al. (U.S. 4,662,185). The Applicant traverses this rejection.

According to the present invention, claim 17 generally recites a refrigerator storage cabinet including, among other things, a storing unit configured to store a cooling characteristic including a target physical amount as a function of operating time and a control unit configured to control the compressor by selecting one of a plurality of performance levels based upon a relationship between a physical amount for one of predetermined intervals of operating time. That is, the data showing a time-varying mode of a target physical amount (e.g., temperature) is preliminarily stored by a storing unit, and the compressor is operationally controlled so that the physical amount varies with time following the stored time-varying mode.

In the Office Action, the Examiner states that Kobayashi discloses these elements (column 2, lines 25-29). Applicants respectfully disagree. Kobayashi discloses a temperature

presetter 2 that sets a target temperature as a single or fixed target value. Thus, Kobayashi fails to disclose a storing unit configured to store the data showing a time-varying mode of a target temperature (or for storing a cooling characteristic comprising a target temperature as a function of operating time).

In contrast, according to the claims of the present invention, the target temperature is not fixed, but is set to decrease gradually with time after the start of the operation, and the compressor is controlled according to the decreasing target temperature.

Therefore, Applicants submit that Kobayashi fails to disclose all of the elements of claim 17. Additionally, there is no reasoning in Kobayashi or the cited prior art to modify Kobayashi, such that it renders claim 17 obvious.

Applicants submit that since independent claim 35 recites subject matter that is similar to independent claim 17, claim 35 and its dependent claim are allowable for reasons similar to those discussed above. That is, the cited prior art fails to disclose or render obvious a refrigeration storage cabinet that includes, among other things, a storing unit configured to store a cooling characteristic including a target physical amount as a function of operating time and a control unit configured to control the compressor by selecting one of a plurality of performance levels based upon a relationship between a physical amount for one of predetermined intervals of operating time.

Rejections Under 35 U.S.C. §103(a)

Claims 25, 26 and 28 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Stamp (U.S. 4,328,680).

Claims 24 and 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Longtin (U.S. 5,566,879).

Claim 29 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Okamoto et al. (U.S. 4,959,969) and Longtin.

Claims 31-34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Okamoto et al.

Applicants submit that since the Stamp, Longtin, and Okamoto fail to overcome the

deficiencies of Kobayashi, and since each of these claims is dependent from independent claim 17, each of these claims is allowable for the reasons discussed above.

In view of the foregoing amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be allowed, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Shinichi KAGA et al.

By: /Jeffrey J. Howell/
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Jeffrey J. Howell
Registration No. 46,402
Attorney for Applicants

JJH/JRF/kh
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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